GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services — Treasuries And Accounts Department - Allegation of corruption of demand and acceptance of bribe by Sri Mothukuri Mohan Rao, S/o Subba Rao, age 53 years, Assistant Treasury Officer, District Treasury Office, Nellore, SPSR Nellore District — Trapped on 23-02-2013 — Sanction for Prosecution - Accorded — Orders -Issued.

FINANCE(ADMN.I) DEPARTMENT

G.O.MS.No. 31 **Dated: 29-02-2016**

Read the following:

Rc.No.39/RCT-NNL/2013 dt:20-12-2015 of the DG,ACB,A.P.,Hyderabad.

ORDER:

WHEREAS, by Sri Mothukuri Mohan Rao, S/o Subba Rao, age 53 years, Assistant Treasury Officer, District Treasury Office, Nellore, SPSR Nellore District from 16-5-2010 to 23-2-2013 by virtue of the post held by him, he falls under the category of a Public Servant as defined under section 2 (c) of P.C. Act, 1988.

2. AND WHEREAS, Sri Yerramalla Chandra Mohan Reddy, S/o late Rami Reddy, age 43 years, Senior Assistant, O/o DM&HO, Nellore is a complainant.

3. AND WHEREAS, the summary of allegations against that, Sri Yerramalla Chandra Mohan Reddy is resident of Sriharinagar,Mini bye pass road, Nellore is working as Senior Assistant, in the O/o DM&HO, Nellore. The firms of Andhra Surgicals, Tirupati, V.B. Surgicals, Tirupati and Navamohan Enterprises, Guntur supplied materials and surgical items nearly for Rs.16,30,000/-to the office of the DM&HO, Nellore. For that the complainant's office Prepared bills and submitted them to the Dist. Treasury Office, Nellore, SPSR Nellore District on 14-02- 2013 for payment. In this regard he visited the DTO office, Nellore and consulted the Sri.E.V.SeshaiahSub-Treasury Officer and Sri Mothukuri Mohan Rao,Asst. Treasury Officer Nellore and Sri.M.Srinivas Senior Accountant 4 times and asked them to pass the above bills. On 18-02-2013 the complainant again met the Sri.E.V.Seshaiahand Sri Mothukuri Mohan Rao for passing the above bills, the Sri Mothukuri Mohan Rao told him to talk with Sri.E.V.Seshaiah.The complainant met the Sri.E.V.Seshaiahwho demanded the complainant to pay 6% of the bill amount as bribe i.e. Rs.90,000/- for passing the above bills. The complainant expressed his inability to pay such amount and returned. Again on 20-02-2013 the complainant met the Sri.E.V.Seshaiahand asked for passing bills, again Sri.E.V.Seshaiahdemanded the complainant to pay the bribe amount of Rs.90,000/- for passing bills. On the request of the complainant to reduce the bribe amount Sri.E.V.Seshaiahreduced the amount to 4 % of the bills amount i.e. Rs.65,000/-for passing the bills. The complainant reluctantly agreed to pay the bribe amount to Sri.E.V.Seshaiahand others. As he was not willing to pay the bribe amount to Sri.E.V.Seshaiahand others he submitted a written report.

4. AND WHEREAS the DSP, ACB, Nellore Range, Nellore registered the complaint as a case in Cr.No.2/RCT-NLR/2013 u/s 7 of Prevention of Corruption Act.1988 on 23-02-2013 at 13-10 hrs and took up investigation.

5. AND WHEREAS, the trap Party led by the DSP, ACB Nellore left the ACB Office, Nellore at 17-05 hours on 23-02-2013 in two vehicles and reached the state Bank of India, Barracks Branch centre, Nellore at 17-20 hours. The complainant went to the O/o DTO as per the instructions of DSP. At about 18-20 hrs Inspector K.Venkateshwarlu and HC relayed Pre-arranged signal and immediately, the DSP and trap party members reached the ground floor Of DTO office entrance and found two male persons found standing in front of the strong room cum pension section of DTO and one male person standing in the entrance gate of Strong room. The DSP disclosed his Identity and identity of the remaining trap party members to them. The DSP ascertained the identity of the above three persons as Sri EndluriVenkataSeshaiah, S/o Narayana,56 years, STO, DTO, Nellore, Sri Mothukuri Mohan Rao,S/o Subba Rao, age 53 years, ATO, District Treasury Office, Nellore and Sri Theepalapudi Thomas, s/o Devadanam, age 52 years, Personal Driver (private person) of ATO, DTO, Nellore r/o Door No.9/657, Arava street (Tamil street), Kapadipalem, Nellore.The DSP organized chemical test on both hand fingers

Sri E.V.Seshaiah, Sri Mothukuri Mohan Rao and Sri.T.Thomas. Both hands of E.V.Seshaiahand T.Thomasyielded positive result and Sri Mothukuri Mohan Rao hands got negative result. The DSP collected the resultant sodium carbonate Solutions in four bottles separately which were sealed, labelled, attested by mediators and DSP and seized by the DSP on the request of DSP, E.V.Seshaiahand Sri.T.Thomasproduced wads of currency notes, i.e. E.V.SeshaiahRs.42,000/-and Sri.T.ThomasRs.23,000/-from them respectively. The DSP seized the above tainted amount of Rs.65,000/-produced by the E.V.Seshaiahand Sri.T.Thomasfor further investigation.

6. AND WHEREAS, when the DSP asked Sri.T.Thomas, private driver of Sri Mothukuri Mohan Rao, to explain things happened prior to the arrival of trap party,he has stated that on 23-02-2013 at about 06-00 PM, Sri Mothukuri Mohan Rao called him while he was at shuttle court near to the strong room of District Treasury Office. At that time, Sri Mothukuri Mohan Rao and SriE.V.Seshaiahand another person were found standing in front of the strong room of District TreasuryOffice and discussing something. On seeing him, SriE.V.Seshaiahasked him to receive the amount from another person standing with Sri E.V.Seshaiahand Sri Mothukuri Mohan Rao. Accordingly, the complainant gave him a wad of currency from his right side pant pocket. He received the same with his right hand and counted the same with his both hands and informed to the Sri.E.V.Seshaiahand Sri Mothukuri Mohan Rao that the amount is Rs.65,000/-. On that the Sri E.V.Seshaiahasked him to give Rs.42,000/- from the said amount. Accordingly, he gave Rs.42000/- to Sri.E.V.Seshaiah. Then Sri Mothukuri Mohan Rao asked Sri E.V.Seshaiah to keep that amount with him and he will take his share later.

7. AND WHEREAS, the above said acts of Sri SriMothukuri Mohan Rao, S/o Subba Rao, Age 53 years. ATO, O/o DTO, Nellore constitute offences punishable under sections 7 & 13(1)(d) read with 13(2) of Prevention of Corruption Act, 1988 and section 34 IPC.

8. AND WHEREAS, the Government of Andhra Pradesh being the competent authority to remove Sri Mothukuri Mohan Rao, S/o Subba Rao, age 53 years, Assistant Treasury Officer, District Treasury Office, Nellore, SPSR Nellore District from service after fully and carefully examining the material (i.e. FIR, Mediator Reports, Statement of witnesses, relevant documents and final report etc.,) placed before me in respect of the said allegations and the circumstances of the case consider that Sri Mothukuri Mohan Rao S/o Subba Rao, age 53 years, Assistant Treasury Officer, District Treasury Office, Nellore, SPSR Nellore District should be prosecuted in a Court of Law.

9. NOW THEREFORE, in exercise of the powers conferred by Clause (b) of Sub-Section (1) of Section 19 of the Prevention of Corruption Act, 1988 section 197 of Cr.P.C, the Government of Andhra Pradesh hereby accorded sanction for the Prosecution of Sri Mothukuri Mohan Rao S/o Subba Rao, age 53 years, Assistant Treasury Officer, District Treasury Office, Nellore, SPSR Nellore District for the above said offences punishable under 7 & 13(1)(d) read with 13(2) of Prevention of Corruption Act, 1988 and section 34 IPC and for any other cognate offences punishable under any other provisions of Law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

MUDDADA RAVI CHANDRA
SECRETARY TO GOVERNMENT(Expr)

To
The Director General,
Anti-Corruption Bureau,
Andhra Pradesh, Hyderabad-34